



GAVIN NEWSOM  
GOVERNOR



JARED BLUMENFELD  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

January 30, 2019

(Via email and Certified Mail)  
**CERTIFIED MAIL**  
**NO. 7018 0680 0000 1017 6267**

Captain Mark W. Ratekin  
Facilities Manager  
Kern County Fire Department  
5642 Victor Street  
Bakersfield, California 93308  
[mratekin@kerncountyfire.org](mailto:mratekin@kerncountyfire.org)

**SUBJECT: FAILURE TO COMPLY; UNDERGROUND STORAGE TANK  
SYSTEMS LOCATED AT KERN COUNTY FIRE STATION NO. 11,  
30356 WOODFORD-TEHACHAPI ROAD, KEENE**

Dear Mr. Ratekin:

As of the date of this letter, the State Water Resources Control Board (State Water Board) has not received a complete response to our November 26, 2018 Notice of Violation (NOV)(attached). You are directed to correct the ongoing violations identified in the NOV and submit compliance documentation to the State Water Board and Kern County Public Health Services Department within ten (10) days from the date of this letter.

Please send all compliance documentation to the following:

**State Water Board**

Mr. Douglas McDevitt  
UST Enforcement Unit  
Office of Enforcement  
State Water Resources Control Board  
801 K Street, Suite 2300  
Sacramento, California 95814  
[douglas.mcdevitt@waterboards.ca.gov](mailto:douglas.mcdevitt@waterboards.ca.gov)

**Local CUPA**

Mr. Bilal Korin  
Supervising Environmental Health Specialist  
Kern County Public Health  
Services Department  
2700 M Street, Suite 300  
Bakersfield, California 93301  
[korinb@kerncounty.com](mailto:korinb@kerncounty.com)

Failure to comply with this notice may result in an enforcement action by the State Water Board. The State Water Board reserves the right to bring an action against the owner and/or operator of the tank(s) in violation, or it may recommend that Kern County Public Health Services Department pursue enforcement, or Kern County Public Health Services Department may elect to pursue enforcement independently.

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

January 30, 2019

If you have any questions, please contact me at (916) 341-5891, or by email at [matthew.buffleben@waterboards.ca.gov](mailto:matthew.buffleben@waterboards.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew Buffleben".

Dr. Matthew Buffleben  
Supervising Water Resource Control Engineer  
Acting Supervisor, UST Enforcement Unit  
**Office of Enforcement**

Attachment: November 26, 2018 Notice of Violation

cc: *(via email only)*

Mr. Bilal Korin  
Supervising Environmental Health Specialist  
Kern County Public Health  
Services Department  
[korinb@kerncounty.com](mailto:korinb@kerncounty.com)

Captain Mark Ratekin  
Facilities Manager  
Kern County Fire Department  
[mratekin@kerncountyfire.org](mailto:mratekin@kerncountyfire.org)



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

November 26, 2018

(Via email and Certified Mail)  
**CERTIFIED MAIL**  
**NO. 7018 0680 0000 1017 6038**

Captain Mark W. Ratekin  
Facilities Manager  
Kern County Fire Department  
5642 Victor Street  
Bakersfield, California 93308  
[mratekin@kerncountyfire.org](mailto:mratekin@kerncountyfire.org)

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS  
LOCATED AT KERN COUNTY FIRE STATION NO. 11, 30356 WOODFORD-  
TEHACHAPI ROAD, KEENE**

Dear Mr. Ratekin:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on October 31, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	<b>Failure to Maintain Operating Permit Onsite</b> – A copy of the current operating permit was not available at the time of inspection.	All	October 31, 2018	Ongoing	H&SC 25284(a); 23 CCR 2712(i)
2	<b>Failure to Provide Designated Operator (DO) Training</b> – The only employee listed on the DO training form was not present at the time of inspection. At least one facility employee must be present during operation hours and have current training.	All	October 31, 2018	Ongoing	23 CCR 2715(c)(2)

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No.	Violation	Tank	Start Date	Stop Date	Regulation
3	<b>Failure to Perform Overfill Equipment Prevention Inspection</b> – The overfill prevention equipment inspection demonstrating overfill equipment will activate at the required level was due on October 13, 2018.	All	October 14, 2018	Ongoing	23 CCR 2637.2 (a)(1)
4	<b>Failure to Maintain Financial Responsibility</b> – The statement of self-insurance letter from the Chief Financial Officer does not meet financial responsibility requirements, contain the correct language, or include a financial test.	All	October 31, 2018	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11)
5	<b>Failure to Maintain Tank Information</b> – In CERS, under fill pipe construction, fill components installed, striker plate/bottom protector list “no”; however, it should list “yes.” Additionally, spill bucket should list “yes.”	All	October 31, 2018	Ongoing	H&SC 25286(a); 23 CCR 2711(a)
6	<b>Failure to Maintain Monitoring Plan</b> – In CERS, under dispenser containment (UDC) monitoring, detection of a leak into UDC triggers audio and visual alarms should list “yes.”	All	October 31, 2018	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1), 2711(a)(9)

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Kern County Public Health Services Department within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance.**

Please send all compliance documentation to the following:

**State Water Board**

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UST Enforcement Unit  
Office of Enforcement  
State Water Resources Control Board  
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November 26, 2018

If you have any questions, please contact me at (916) 341-5891, or by email at [matthew.buffleben@waterboards.ca.gov](mailto:matthew.buffleben@waterboards.ca.gov).

Sincerely,



Dr. Matthew Buffleben  
Supervising Water Resource Control Engineer  
Acting Supervisor, UST Enforcement Unit  
**Office of Enforcement**

cc: *(via email only)*

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